

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

VICENTE SALCEDO, GERALD LINDEN,
and BRIAN MERVIN, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

SUBARU OF AMERICA, INC., a New
Jersey Corporation, and
SUBARU CORPORATION, a Japanese
Corporation,

Defendants.

No. 1:17-cv-08173-JHR-AMD

CLASS ACTION

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF THE CLASS ACTION SETTLEMENT**

For the reasons set forth in the accompanying Memorandum of Law submitted herewith, Plaintiffs respectfully request that this Court enter an Order: (1) conditionally certifying a class action with respect to the claims against Defendants pursuant to Federal Rules of Civil Procedure Rules 23(a) and 23(b)(3) for the purpose of effectuating a class action settlement of the claims against Defendants; (2) preliminarily approving the settlement; (3) directing notice to Settlement Class Members consistent with the notice plan in the Settlement

Agreement; (4) appointing Joseph G. Sauder and Matthew D. Schelkopf of Sauder Schelkopf LLC Class Counsel; and (5) scheduling a final approval hearing.¹

Dated: August 21, 2018

Respectfully Submitted,

By: /s/ Matthew D. Schelkopf
Joseph G. Sauder
Matthew D. Schelkopf
Joseph B. Kenney
SAUDER SCHELKOPF LLC
555 Lancaster Avenue
Berwyn, Pennsylvania 19312
Telephone: (610) 200-0581
jgs@sstriallawyers.com
mds@sstriallawyers.com
jbk@sstriallawyers.com

Richard D. McCune
David C. Wright
MCCUNE WRIGHT AREVALO LLP
3281 Guasti Road, Suite 100
Ontario, California 91761
Telephone: (909) 557-1250
Facsimile: (909) 557-1275
rdm@mccunewright.com
dcw@mccunewright.com

Bruce D. Greenberg
LITE DEPALMA GREENBERG, LLC
570 Broad Street, Suite 1201
Newark, New Jersey 07102
Telephone: (973) 623-3000
Facsimile: (973) 623-0858

¹ Counsel for Subaru respectfully requests that the Court consider scheduling the final approval hearing during the second or third week of February 2019. Class Counsel is generally available during January or February 2019 for the final approval hearing

bgreenberg@litedepalma.com

Gary S. Graifman
Jay I. Brody
Kantrowitz, Goldhamer & Graifman
210 Summit Avenue
Montvale, New Jersey 07645
Telephone: (201) 391-700
ggraifman@kgglaw.com
jbrody@kgglaw.com

Thomas P. Sobran
Thomas P. Sobran, P.C.
7 Evergreen Lane
Hingham, MA 02043
Telephone: (781) 741-6075
tsobran@sobranlaw.com

Counsel for Plaintiffs and the putative Class

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true and correct copy of the foregoing **PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF THE CLASS ACTION SETTLEMENT** was electronically filed on August 21, 2018 using the Court's EC/CMF system, thereby electronically serving it on all counsel of record.

/s/ Matthew D. Schelkopf
Matthew D. Schelkopf